

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 14, 16-23, 25, 26 and 28 are pending in the present application. Claims 14 and 16 have been amended and Claim 27 has been cancelled by the present amendment.

In the outstanding Office Action, Claims 14, 16-23, 25-27 and 28 were rejected under 35 U.S.C. § 112, second paragraph; Claim 16 was objected to; Claims 14, 16, 23 and 25-28 were rejected under 35 U.S.C. § 102(b) as anticipated by Wood '990; Claim 27 was rejected under 35 U.S.C. § 102(b) as anticipated by Rogers; Claims 17-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wood '990 in view of Chen; and Claims 21 and 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wood '990 in view of Wood et al '389.

Regarding the rejection of Claims 14, 16-23, 25-27 and 28 under 35 U.S.C. § 112, second paragraph, the outstanding Office Action indicates the recitation of a first intermediate image is misdescriptive of the invention. In particular, the outstanding Office Action indicates Figure 3 of the Applicants' invention shows that the spherical mirror is located after a first intermediate image so that the combination of the imager and the off-axis spherical concave mirror cannot form a first intermediate image as currently recited and that the first intermediate image 25 is also misdescriptive in that the path of the light rays from the imager 20 is such that the first intermediate image would be formed in the first part or section of the optical device as is shown at item 27.

However, Applicants note that the first and second intermediate images are located with respect to the user. Thus, with reference to Figure 3, it can be seen that the first intermediate image 25 with respect to the user (the eye 3) is formed after the plane mirror 23 and the second intermediate image 27 is formed after the diffractive mirror 21. To clarify

this feature, independent Claim 14 has been amended to recite the first and second intermediate images are with respect to the user. It is also respectfully submitted one skilled in the art understands that the first and second intermediate images are viewed with respect to the user. Accordingly, it is respectfully requested this rejection be withdrawn.

Claim 16 has also been amended in light of the comments noted in the outstanding Office Action. Accordingly, it is respectfully requested the objection to Claim 16 be withdrawn.

Claims 14, 16, 20, 23, 25-27 and 28 stand rejected under 35 U.S.C. § 102(b) as anticipated by Wood '990. This rejection is respectfully traversed.

As discussed above, Claim 14 has been amended to recite that the first and second intermediate images are with respect to the user. As shown in Figure 3, for example, the first intermediate image 25 is formed with respect to the user 3 and the diffractive field mirror 21 is situated in the vicinity of the second intermediate image 27 with respect to the user 3 and reflected by the diffractive field mirror 21.

As discussed in the previous response filed May 2, 2003, Wood '990 only teaches a first intermediate image 54. Thus, Wood '990 does not teach or suggest the claimed first and second intermediate images nor the diffractive field mirror situated in the vicinity of the second intermediate image.

Accordingly, it is respectfully submitted independent Claim 14 (independent Claim 27 has been cancelled), and each of the claims depending therefrom are allowable.

The rejection of Claim 27 under 35 U.S.C. § 102(b) as anticipated by Rogers is moot as Claim 27 has been cancelled.

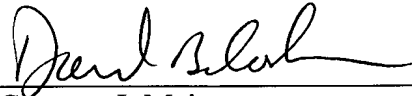
Further, regarding the additional rejections noted in items 8 and 9 of the outstanding Office Action, it is respectfully noted the claims rejected therein are dependent claims. Accordingly, it is respectfully requested these rejections also be withdrawn.

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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